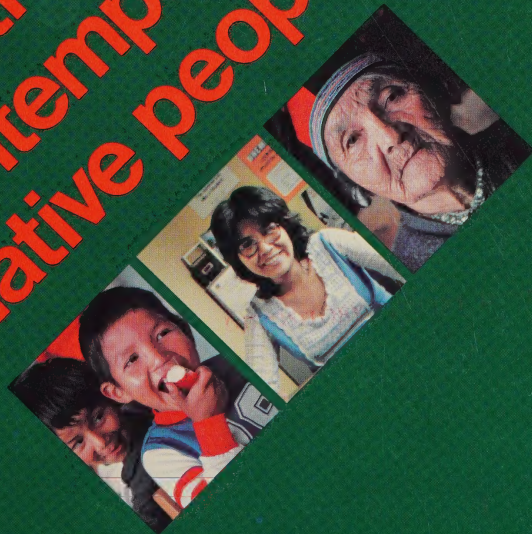




CAI
IA 190
-80P21

3 1761 11557668 8

A perspective on contemporary Native people



A perspective on contemporary Native people

Government
Publications

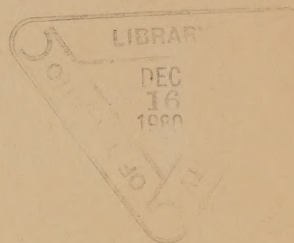
Written by Melissa Lazore
Research and coordination by Rob Dolan
Project supervision by the Native Oppor-
tunities Direction Committee

CA1
IA 190
- 80P21

DEPOSITORY LIBRARY MATERIAL

Published under the authority of the
Hon. John C. Munro, P.C., M.P.,
Minister of Indian Affairs and
Northern Development,
Ottawa, 1980.
QS-5154-002-EE-A1
Catalogue No. R32-50/1980E
ISBN 0-662-11145-1

Cette publication peut aussi être obtenue en français.



Contents

Preface	5
Some misconceptions about Indians	7
Transition from closely-knit community to city	9
Native people and alcohol	12
Status, non-status Indians and Métis	15
The Indian Act	17
Land claims	23
The future of Native people	27



Preface

Opinions expressed in this book are based on my experiences as an Indian person and do not in any way reflect those of the Department of Indian Affairs and Northern Development.

I decided to participate in the Native Opportunities Phase II project because I believe it to be one way of reaching non-Indians and perhaps changing the stereotype image of Indian people.

The following opinions are based on my experience working in the Department of Indian Affairs and Northern Development, as well as attending college many miles away from my home and friends. During the two-years I attended college I boarded in non-Native homes, and after I completed my studies I was back in Ottawa, working as a reporter for what was then Canada's only national Native news magazine. - *The Native Perspective*.

I do not consider myself to be an expert on the issues facing Native people in Canada, nor do I wish to present myself as spokesperson for all Indians. This book, therefore, should be regarded merely as an introduction to contemporary Indians, and I hope it will perhaps stimulate your interest in Indian culture and in the issues facing Native people today.

Melissa Lazore



Some misconceptions about Indians

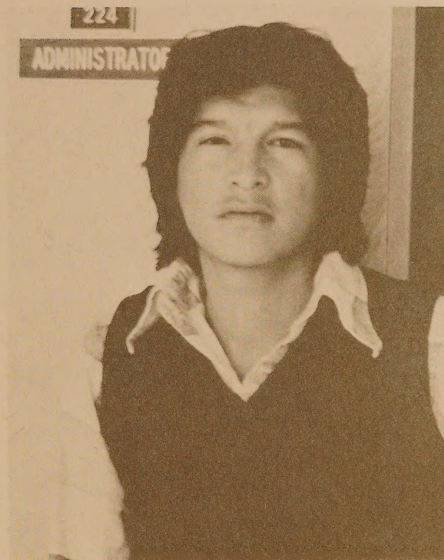
Although I had non-Native friends throughout high school and at work, I found that living with non-Native families, and being exposed to some of the many misconceptions they have about Indian people, was as valuable a learning experience for me as my academic studies.

One popular misconception is that we (Indians) all possess the same cultural beliefs, ideals, and needs. The fact is that each tribe has its own customs and beliefs, speaks different dialects, and further, that one tribe might be spread out geographically which results in a variation in that particular tribe's customs and language. So the needs of a tribe differs greatly according to its location, and also depending on the degree to which it has adapted to industrialization.

Another misconception is that Indians are lazy and have no desire other than to live on reserves and be supported by Government. This image arises because many Indian cultures do not place as much emphasis on competitiveness and the acquisition of material goods, and so they are perceived as lazy. The fact is that Native people who are unable to find employment, receive the same financial assistance as other citizens collecting welfare assistance.

Over the years, however, there has been a change in attitude on the part of Indians. Today, an increasing number of Indian students are taking advantage of their right to financial assistance to further their education, and so more are leaving the reserves. Many return after their training though, to help improve conditions, while others seek careers which require them to live away.

I think there is another common misunderstanding. It is that Native women are treated as second-class citizens by Indian men. Traditionally, among many Indian tribes, the Indian woman had a significant role in the community. For example, among the Iroquois, it was the Indian women who selected the chiefs, and it was customary that children inherited the clan of their mother rather than that of their father.



The traditional role of Indian women was altered by an Indian Act written by non-Indians. Now there is a further change taking place which will see them as more significant participants in the process. The Act will be discussed in a later chapter.

Some people have the idea that Indians allowed their children to wander freely, without discipline. Non-Native teachers which we had in grade school would call us, "a bunch of wild Indians"; if we made too much noise in class. This past summer, while researching the subject of traditional rearing of Indian children, I found that Indians believed children to be gifts from the Great Spirit. Documentation of statements made by early visitors to Indian communities reveals their surprise at the manner in which Indian children were raised. Traditionally, children were raised under the extended family system, and the method

was one of 'observe and learn' rather than the use of physical punishment. Over the years, this extended family has faced pressures similar to those of non-Natives, and now it too is plagued by family breakdown. As well, it has been found in many communities that the nuclear family structure which many Indian people have adopted is not working, and there is a move to bring back the old ways which emphasize the importance of the community in the upbringing of our children.



Transition from closely-knit community to city



Think of some of the problems you might experience when leaving home for the first time. For the Native person these problems are compounded by the fact that they will be going to a place where people are different; so different; that their lifestyle appears to be as cold and impersonal as the concrete city itself.

In most instances, Native people leave their homes for education or employment. The transition, from one lifestyle to another is difficult enough, and the shock of leaving a small, closely-knit community and arriving in a city where you don't know anyone, often makes the Native person shy about meeting new people. Everyone and everything seems so impersonal.



The loneliness I felt when I left home for the first time, and the feeling of not really being accepted, was so great that I had the urge to return and never again leave the reserve.

It is small wonder that many Native people try to escape the loneliness and unacceptance by seeking out the nearest *Indian bar*. At least there one can feel at home, not necessarily for the booze, but because of the presence of other people with similar values and ideas. I know many Native people, some non-drinkers, who find the bars a useful place to meet people.

I guess the biggest difference I noticed between the non-Native couple I boarded with and myself, was in our attitudes. They thought something was terribly wrong if "upward mobility" was not a source of motivation in a person's life. There were barriers which were never broken in the six months I stayed there, and I came to realize how lucky I had been to grow up in an environment which didn't mean having to "keep up with the Joneses". I would like to say, however, that I didn't encounter the same barriers the following year when I stayed with another non-Native family.

Generally, a non-native person places heavy emphasis on his career, whereas a Native person identifies more closely with his people. Our value systems are so different, that it is only through communication and getting to know one another that we can better understand each other.

Native Friendship Centres are located in towns and cities across Canada and help with problems Native people encounter when moving to a city. The Centres are places where Native families get together, and they also provide a wide-range of services including, employment agencies, drug and alcohol abuse programs, and sports and recreation programs.

If interested in further details, *Indians in Transition* by Gerald Walsh clearly states the problems facing Canada's Indians and probes their origin.



Native people and alcohol



Alcoholism is one of the most serious health problems facing Indians today. I think many people believe Native people are more prone to alcoholism due to differences in body chemistry. In reality, I think alcoholism is the result of their frustrations.

Alcohol provided Native people with an escape from their state of cultural confusion. However, drinking created a vicious circle: "I drank because my parents drank" – is the attitude of some, and nine times out of ten I bet people with a drinking problem will say they grew up with drinking in their homes.

The rate of alcoholism among Native people was high enough to establish Native Alcohol and Drug Abuse Programs across the country. It was felt these programs were needed because the already-established Alcoholics Anonymous groups did not meet the special problems of Indian alcoholics. The use of trained Native counsellors, sensitive to the problems associated with being a Native, plays an important role in understanding and helping Native people with a drinking problem.

There has also been a return to traditional Indian methods in the treatment of alcoholics. The Coast Salish of British Columbia, for example, are reported to have had some degree of success in treating Indian alcoholics through the Spirit Dance ceremonies.

In some Native religious societies drinking is not allowed, and anyone who drinks will not be allowed to participate in ceremonies, or even join unless they give up drinking. Other societies go so far as to physically punish a person if they drink.

On many reserves, the high rate of death by violence is linked to the abuse of alcohol. It appears that giving "fire water" to Indians is the worst thing the white man could do to destroy the Indian cultures. The loss of culture, combined with rapid changes in society, and feelings of inferiority, are big enough problems without adding alcohol.

So, for some, drinking became a way of life and has had its bad affects on the Indian population over the years. However, I hope the future generations will have different attitudes and will look at revitalizing the old ways, namely, the spiritual and altruistic orientation of Indian culture.

One thing is certain - drinking is definitely not Indian.





Status, non-status Indians and Métis

I must confess that I never realized the importance of knowing the difference between status, non-status and Métis until I started reporting for The Native Perspective.

Perhaps this was because I always believed that status, non-status Indians and Métis were part of a group known as "Indians". It wasn't until I knew more about the two Native organizations in Ottawa, the National Indian Brotherhood, (NIB), representing status Indians, and the Native Council of Canada, (NCC) representing the non-status Indians and Métis that I realized the division.

This division is reinforced by the Federal law which recognizes and defines status Indians, but as yet not non-status Indians and Métis. By defining who is an Indian, the law has the effect of creating three Native groups, the Indians, the non-status Indians and the Métis.

In statements and position papers you will find a preference for the term "Indians" used by the NIB and the Department of Indian Affairs and Northern Development, and the term "Native" used by the NCC when referring to non-status Indians and Métis.

Before I continue, I will offer an explanation of what the various terms mean.

"Status" describes an Indian person who is a registered member of an Indian band. The definition of "Indian" as written in the Indian Act reads: "Indian" means a person who pursuant to this Act is registered as an Indian or is entitled to be registered as an Indian; - Chap. I-6 Indian Act. Status Indians are entitled to receive certain rights and benefits from the Federal Government which are guaranteed by the Indian Act.

The term "non-status" is used to describe people who are of Native ancestry but do not fit the requirements laid down in the Indian Act to qualify for status.





"Métis" is used to describe people of mixed blood. Métis and non-status Indians trace their origin to the Indian tribes who inhabited this country, and many identify with their Indian background more easily than with the non-Native. The Métis are also referred to as *half-breeds*, though some do not accept this term. While covering a story for the *Native Perspective*, I interviewed Adrian Hope, a respected Métis elder from Alberta. When I spoke to the Métis "Senator," (a title given by his fellow Métis), I learned that by the age of 74 he had attended more Métis conferences than even he could remember. He said he always told his children never to accept the term, *half-breed*, because, we breed horses, dogs and other varmints, but we do not breed humanity".

There are approximately 750,000 non-status Indians and Métis in Canada. They are not given the same rights and benefits as status Indians and appear to be caught in the predicament of looking and living like Indians, but not exactly fitting in. The Native Council of Canada has been trying to get Government's recognition of aboriginal rights for Métis and non-status Indians. Once there is some move on the Government's part, the position of the non-status and the Métis will be more clear.

The Indian Act



A Federal Law exists which has a great influence on an Indian person's life. This law is known as the Indian Act.

In 1876, all laws respecting Indians were consolidated into the Indian Act. This Act derives its authority from that Section of the British North America Act which gave the Federal Government legislative power over Indians and those lands reserved for them.

While gathering material for a special issue of *The Native Perspective* which featured reports on the revisions to the Indian Act, I found that the average Indian person knew very little about the Act.

This lack of awareness on the part of Indians about an Act which has such an influence on their lives, meant the Government and Indian leaders had to go back to square one and explain the present Indian Act to them. Having achieved this, then it would be possible to outline proposed changes to the Act.



For me to try and explain the Indian Act and what it means to Indian people is a difficult task. It places the Indian person in a special and unique constitutional position. The Indian Act has special legislative power over Indian people living on reserves. For the individual, it means having the Federal Government determine who is entitled to live on a reserve, and who is eligible to receive special rights to education and medical assistance, as well as hunting and fishing rights.

As a result, the Department of Indian Affairs and Northern Development was established to safeguard Indian lands and to carry out these special rights and privileges guaranteed Indian people under the Indian Act.

Today, there are 302,749 people in Canada who are registered Indians. They make up 575 separate Indian groups known as *bands*. For each band there is an elected chief and council which deal with the Department of Indian Affairs on matters such as band by-laws and other issues.

Whenever you hear about Indians it is important to remember that "Indians" are a number of tribes or basic linguistic groups that are, in turn, subdivided into language groups with many local dialects. Just as each person is unique; so is each tribe. Tribal customs are as different as any that might be found between the French customs and the English.

These different groups of people were called Indians, and the Indian Act was presumably drawn up for their protection. However, there is some question as to whether that was its true intention. Even after the Act's revision in 1951, there remain many discriminatory clauses which prompt Indian leaders to refer to it as "an embarrassment to the Canadian Government."

Although it is not the greatest piece of legislation, for Indian people it is all we have to make sure the government lives up to its obligations to us. Indian leaders have made it clear that they do not want the Government to abolish the Indian Act, but they want to amend it so that it reflects the true needs of their people. Of even more importance to them, at this stage, is that Indian rights should be enshrined in a new Canadian constitution.

One of the most controversial sections of the Act is Section 12. (1)(b) which maintains that a woman who marries a person who is not an Indian ceases to be an Indian within the meaning of any statute or law in Canada. The Act allows Indian men to marry non-Indian women and upon marriage the woman and any children born to the couple gain full Indian status.

It is impossible for me to present a simple report on the problems this section has created because there are so many dimensions to it. In order to better understand the situation one must read numerous articles and books, as well as listen to the positions taken by Indian women, Indian leaders and the government.

From a legal standpoint, the issue of Indian rights for Indian women will be very difficult to resolve. In my opinion, no legislative should influence the choice of whom one may or may not marry. As it is now, making the *wrong* choice may mean giving up identity and family. In 1973, Indian women organized a national lobby group, Indian Rights for Indian Women, after the Supreme Court of Canada ruled against Jeannette Lavell, who had contested her loss of Indian status under Section 12. (1)(b) of the Indian Act.





Indian Rights for Indian Women was the first group to lodge their complaint with the Federal Human Rights Commission, when it was established in 1977. Because the Indian Act states that no other provincial or federal law will apply to Indians, nothing could be done by the Commission. The Indian Rights for Indian Women group has taken its case to the United Nations, hoping other countries will pressure the Canadian Government into changing the Act. Presently there is consultation taking place between NIB and DIAND about possible ways to resolve this problem.

On July 24, 1980, the Honourable John Munro, Minister of Indian and Northern Affairs, announced that, when requested to do so by Band Councils (the local governing bodies in Indian communities), the government will suspend sections of the Indian Act which discriminate against Indian women who marry non-Indians, and their children.

Section 12(1)(b) still remains in the Indian Act, though, and only the future will tell the implications of this decision. The fact that many Indian men and women support such changes must not be interpreted that there is unanimity among Indian peoples across Canada concerning this issue.

Since the Lavell Case, much has been written on this section of the Indian Act, and I would suggest that anyone interested in further details should read *Indian Women and the Law in Canada: Citizens Minus* by Kathleen Jamieson. The book was prepared by the Indian Rights for Indian Women and the National Advisory Council on the Status of Women.

As with the above section of the Indian Act, Indian leaders have stated there must be full consultation with Indian people at the grassroots level before there are changes to the Act. Because such legislation effects so many Indian cultures with diverse needs, this will continue to be a slow and difficult task.





Land claims

The concept of aboriginal rights, as understood by Native groups, did not come from an ownership view, in the white man's sense, of buying and selling land as a commodity. It came from a feeling of use and occupancy of the land, water and its resources. To Natives the idea of owning the land was as outlandish as owning the sky or the air.

So with this in mind, I believe Native people in the early days of European settlement in North America, in many cases did not fully understand what they were doing by signing agreements with non-Natives. These agreements or treaties reserved specific areas of land for Indian use, and quite often they were areas which non-Natives thought unsuitable for settlement purposes.

Today, Indian people are not willing to receive only cash settlements for their lands because they realize that the land is their future, and the soul of their total social, economic and political systems.

Some of the lands occupied by Indian people long before the white man came were not dealt with by treaties or laws so many Native groups have since filed land claims with the Government. Such claims from groups in areas include most of British Columbia, Northern Quebec and lands North of the 60th parallel. They are based on the concept of aboriginal title or Indian title to the land.

As Native people increased their efforts to obtain recognition of their claims, the Minister of Indian and Northern Affairs announced the Government's policy on the claims of Indian and Inuit people in August, 1973.

I think the most important statement to come from this policy was that it reaffirmed a long standing Government Policy that lawful obligations to Indian people must be met.





By July, 1974, the Office of Native Claims was established within the Department in order to deal with the increasing number of Claims submitted to Government.

Some progress was made on many claims, but neither the Government nor Indian people were completely satisfied with the process.

When the Quebec government announced plans for major development of the hydro-electric potential in the James Bay area, it took six years (from April, 1971 to October, 1977) before a settlement was achieved with the Indian and Inuit people whose lands and livelihood were to be affected by the project.

The James Bay and Northern Quebec Agreement, referred to as a "modern day treaty," can be seen as evidence that Native people are ready to come to terms with the realities of today.

Under the terms agreed to in this comprehensive land claims agreement, the Crees of James Bay are now in an autonomous and independent position to deal with the Governments of Canada and Quebec, and to face the society which they will have to participate in as decision-makers of the future.¹

As a comprehensive claim settlement, the Agreement acknowledges traditional use and occupancy of the land by Indians and Inuit of Northern Quebec. It defines rights and provides benefits such as hunting, fishing and trapping rights, increased local autonomy; environmental protection guarantees; land; cash; control over education and health services, and a range of economic and social development measures.

There seems to be an underlying demand for change in all claims presented to the Government. This change is in the existing economic, social and political structures of Indian people.

This call for change is being expressed and developed in different ways, reflecting the different cultural and historical background of various Native groups, and the pace at which development has occurred.²

¹ *Native Claims Policy, Processes and Perspectives*, p. 13.

² *Ibid.* p. 9

According to the Office of Native Claims, "All northern claims submitted by Native people have expressed a desire for political control of one kind or another ranging from local municipal government to separate territorial status. Whatever the case, each reflects the claimants concern for self-determination and the preservation of cultural identity."³

Note: For more detailed information on Native land claims contact the Office of Native Claims, Indian Affairs and Northern Development.



³Ibid. p. 12 annex B



The future of Native people

A number of developments in Native societies indicate that the future of Native people is one of promise for improvements. There has been a trend by Native people to incorporate traditional and modern elements into their lives.

Education is where much is happening. An example is in the elementary schools located on reserves. Native instructors teach children the arts and crafts techniques of their people; children hear their own language spoken, and hear the history of their people from an Indian point of view. This is a great change from the days when Indian children were taken from their homes and placed in residential schools far away, and discouraged from speaking their language.

Chief John Snow, author and long-term fighter for the retention of Indian culture, is optimistic about the future. The number of Natives people involved in the education of children has increased, and it is now possible for Natives to develop education materials more suited to the particular interest of their students. He believes that in future Native people should be involved at all levels of education.

Through a more positive look at their culture, the children will have a healthier attitude about themselves and about life in general. This is part of the attitudinal change necessary to both the Native and non-Native.

Another step forward is in the area of adoption of status Indian children. Both the Department of Indian Affairs and provincial Adoption Agencies are attempting first to place Indian children with Indian families, and informing non-Native adoptive parents of the child's tribal affiliation and culture.



In the area of existing poor social and economic conditions which confront Indians, I think there will be a vast improvement once the Indian Act is revised, and Indian people take control of their own lives.

When changes are made, perhaps the Act will be more effective in assisting Indian people to take more active roles in society.

Changes to the Act, Government's recognition of Indian land claims, and a change in attitude of non-Indians towards Indian people, are areas which I see as keys to a better future.

The rise of strong Indian political leaders, and an increase in the number of our people seeking careers in professional fields is an encouraging sign for the future.

The struggle for Indian people to achieve their goals will not be easy, but at least now there are qualified Native people who can put up a fair fight. In time, we may see Indian people as they once were . . . a self-reliant and proud race.

